



ARIZONA STATE SENATE
Fifty-Sixth Legislature, First Regular Session

FACT SHEET FOR S.B. 1088

Good Samaritan; drug overdose; extension

Purpose

An emergency measure that extends, permanently, the protection from criminal prosecution of individuals who, in good faith, seek medical assistance for themselves or someone else experiencing a drug-related overdose.

Background

In 2018, Governor Doug Ducey called for a Special Session of the Legislature dedicated to addressing the statewide opioid epidemic and ultimately signed SB 1001: controlled substances; regulation; appropriation, which enacted a series of statutory and session law changes related to the prescribing, administering, dispensing and use of opioid drugs. Additionally, the bill provided immunity from criminal prosecution for possession of a controlled substance or illicit drug to any Good Samaritan seeking medical assistance, in good faith, for themselves or another individual experiencing a drug-related overdose. However, the Good Samaritan protections were only adopted temporarily and will repeal on July 1, 2023 ([Laws 2018, First Special Session, Ch. 1](#)).

Medical assistance is aid provided by a health care professional who is licensed, registered or certified in this state, who is acting within the health care professional's scope of practice and who provides a diagnosis, treatment or other medical service. *Seeks medical assistance* means to call 911 or otherwise contact law enforcement, poison control or a hospital emergency department ([A.R.S. § 13-3423](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Eliminates the delayed repeal of the drug overdose Good Samaritan law, permanently extending the protection from prosecution of individuals who, in good faith, seek medical assistance for themselves or someone else experiencing a drug-related overdose.
2. Becomes effective on signature of the Governor, if the emergency clause is enacted.

Prepared by Senate Research
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